

REMARKS

This paper is submitted in response to the Office Action dated March 5, 2009 (the "Office Action").

Claims 59-89 are pending in the application.

Claims 59-77, 79-87, and 89 stand rejected.

Claims 78 and 88 are under objection.

While not conceding that the cited reference qualifies as prior art, but instead to expedite prosecution, Applicant has chosen to respond as follows. Applicant reserves the right, for example, in a continuing application, to establish that the cited reference, or other references cited thus far or hereafter, do not qualify as prior art as to an invention embodiment previously, currently, or subsequently claimed. Applicant respectfully submits that the pending claims are allowable in view of the above amendments and the following remarks, and respectfully requests reconsideration of the pending rejections.

Formal Matters

Applicant is grateful for the indication that that objected claims 78 and 88 would be allowable if rewritten in independent form, including all the limitations of the base claim and any intervening claims. Applicant wishes to maintain these claims in dependent form in view of the following remarks regarding the corresponding base claims.

Rejections under 35 U.S.C. §102(e)

Claims 59-77, 79-87, and 89 stand rejected under 35 U.S.C. § 102(e) as purportedly being anticipated by U.S. Publication No. 2003/0028651, which names Schreckengast, et al. as inventors (“**Schreckengast**”). Applicant respectfully submits that the claims are allowable because the cited passages of Schreckengast fail to disclose each limitation of the pending claims.

As an initial matter, Applicant notes that the Final Office Action does not point with particularity to any features of the cited reference as teaching the specific limitations of Applicant’s claim 59. This lack of particularity falls short of the requirements of 37 C.F.R. § 1.104(c)(2), which provides:

In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.

(Emphasis added.)

Applicant respectfully submits that the parts of the cited references that the Office Action has relied upon have not been designated as nearly as practicable, as required by 37 C.F.R. § 1.104(c)(2). With regard to the various limitations of claim 59, the Office Action merely cites a lengthy tract of material from the reference (¶¶ 27-61) and proposes that these tracts somehow correspond to Applicant’s claim 59. As a particular example, the Office Action does not clearly indicate what features of Schreckengast supposedly equates with the application service interfaces in Applicant’s claim 59, or with the common service interfaces in Applicant’s

claim 59. Moreover, the Office Action does not point to any particular teaching as disclosing the limitation that each common service interface is “configured to communicate with the process and with two or more of the application service interfaces that interface with a corresponding type of application.”

This lack of particularity falls short of the requirements of 37 C.F.R. § 1.104(c)(2) for a rejection under § 102(e). At least for this reason, the pending rejections under § 102(e) should be withdrawn.

The cited passages fail to disclose the application service interfaces recited in independent claim 59.

Nevertheless, Applicant has endeavored to respond to the pending rejections in view of the teachings of the cited passages. Applicant respectfully submits that the cited passages fail to disclose various limitations of Applicant’s claim 59. For example, claim 59 includes a limitation that **each common service interface is configured to communicate** with a process and **“with two or more of the application service interfaces that interface with a corresponding type of application.”** At least this limitation is absent from the cited passages.

Schreckengast discloses “proprietary information utility 11,” which can provide services to end users. *See*, Schreckengast, ¶ 20. Facility 11 “facilitates transactions for authoring, publishing, manipulating, analyzing, and buying/selling access to proprietary information through a set of application services.” *See, id.*, ¶ 12. Facility 11 includes application service registry 25, which “manages the dynamic registration, access, use, and disposal of application services that operate on top of the proprietary information contained within proprietary

information utility 11.” *See, id.*, ¶ 28. Application service registry 25 provides a service catalog, discovery mechanism, and brokering interface. *See, id.*

The Office Action appears to view Schreckengast’s application service registry 25 as corresponding to the application service interfaces of Applicant’s claim 59. Applicant respectfully disagrees with this view, for several reasons. First, nothing in the cited passages teaches or suggests that Schreckengast’s application service registry 25 includes “interfaces.” Second, nothing in the cited passages teaches or suggests that Schreckengast’s application service registry 25 includes any components that are configured to interface “with a corresponding application” among a plurality of applications. These limitations of claim 59 are therefore absent from the cited passages. At least for this reason, independent claim 59 and all claims dependent therefrom are allowable under § 102(e). At least for similar reasons, independent claims 69, 79, and 89 and all claims dependent therefrom are also allowable under § 102(e).

The cited passages fail to disclose the common service interfaces recited in independent claim 59.

The cited passages also fail to disclose the **common service interfaces** recited in Applicant’s claim 59. This limitation appears to be ignored in the Office Action. Moreover, Applicant does not find these limitations in the cited passages of Schreckengast. Applicant respectfully submits that these limitations of claim 59 are absent from the cited portions of the reference. At least for these reasons, independent claim 59 and all claims dependent therefrom are additionally allowable under § 102(e). At least for similar reasons, independent claims 69, 79, and 89 and all claims dependent therefrom are also additionally allowable under § 102(e).

Dependent claim 62.

The Office Action proposes on p. 4 that ¶ 31 of Schreckengast discloses that “a second one of the common service interfaces is configured to communicate with two or more application service interfaces for applications of an Employee Relationship Management type,” as recited in dependent claim 62. Applicant respectfully disagrees. The cited passage presents a list of services that may be provided by Schreckengast’s facility 11. This list fails to disclose an Employee Relationship Management application. Moreover, this list fails to disclose that such a type of application, or any other type application, has two or more application service interfaces, or that a common service interfaces must be configured to communicate with such interfaces, as would be required to meet the limitation of dependent claim 62. At least for these reasons, claim 62 is additionally allowable under § 102(e).

CONCLUSION

Applicant submits that all claims are now in condition for allowance, and a notice to that effect is solicited. Should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned.

If any extensions of time under 37 C.F.R. § 1.136 are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,

/ Cyrus F. Bharucha /

Cyrus F. Bharucha
Attorney for Applicant
Reg. No. 42,324
Telephone: (512) 439-5097
Facsimile: (512) 439-5099